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Remarks:

The amendments and remarks presented herein are believed to be fully responsive to the Final Office Action dated April 13, 2007.

Claims 1-11 are pending in the application. Claims 12-21 have been canceled without prejudice and independent claim 1 has been amended as set forth above. The amendments are fully supported in the specification and drawings as originally filed. No new matter has been added.

CLAIM REJECTIONS

Claims 1-5, 8 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schmidt, U.S. Patent No. 6,030,084, in view of Gillich et al., U.S. Patent No. 6,709,119. Claims 6, 7, 9 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schmidt, in view of Gillich et al., and further in view of Wheatley et al., U.S. Patent No. 5,262,894.

Applicant respectfully traverses the rejections under 35 U.S.C. §103(a) for the reasons set forth below.

Applicant has amended independent claim 1 to clarify that the thin at least partially flexible glass sheet exists as a pre-formed glass sheet that is separate from the polymeric mirror substrate. The attaching surface of the thin at least partially flexible glass sheet is opposed to and adhered to the exterior surface of the polymeric mirror substrate when the thin at least partially flexible sheet is adhered to the exterior surface of the polymeric mirror substrate. The thin at least partially flexible sheet provides an anti-abrasion sheet at the outboard and inboard surfaces of the exterior surface of the polymeric mirror substrate when adhered thereto.

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With respect to the rejection of independent claim 1 in view of the combination of Schmidt and Gillich et al., Applicant submits that this combination does not disclose, teach, suggest or render obvious the wide angle reflective element of the present invention, particularly as set forth in independent claim 1 and in the claims depending therefrom, for at least all of the reasons set forth in the previous responses, the arguments of which are incorporated herein, and for at least the reasons set forth below.

The combination of Gillich et al. and Schmidt does not disclose or teach or suggest a pre-formed, pre-existing thin flexible glass sheet as is disclosed and claimed in the present application. To the contrary, the protective layer 101 of Gillich et al. is a hard coat similar to the hard coats discussed and distinguished in the background section of the present invention. In stark contrast to the thin flexible glass sheet of the claimed invention, and as discussed in the background section of the present application (see page 1, paragraph [0002] of the present application), such hard coats are provided (such as via dip coating or vacuum deposition or the like) on the first or outer or exterior surface of the reflective element which is contacted by the exterior elements. The hard coat of Gillich et al. thus is not a thin flexible glass sheet that exists as a pre-formed glass sheet that is separate from a polymeric mirror substrate, such as the thin flexible glass sheet 20 shown in Figure 5 of the present application, as is clearly evident by the disclosure in Gillich et al. that the hard coat of Gillich et al. has a maximum thickness of 1,000 nanometers (see column 2, lines 32-36 of Gillich et al.). Such a hard coat thus is less than 1×10^{-9} millimeters thick and thus such a hard coat is not providable as a pre-formed thin flexible sheet that exists separate from the substrate as disclosed and claimed in the present application. Moreover, and as stated in the background section and Summary of the Invention section of the present application, such a hard coat will not provide the benefits of the claimed invention.

Further, the hard coat of Gillich et al. is disclosed as being applied to the body by deposition in vacuum or by thermal vaporization or by electron beam vaporization or by sputtering or by plasma polymerization or by chemical vapor deposition (see column 7, line 66

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through column 8, line 12 of Gillich et al.). Such a hard coat thus is not provided as a pre-formed, pre-existing thin flexible sheet and thus does not have an attaching surface for adhering the pre-formed, pre-existing thin flexible sheet to an exterior surface of a polymeric mirror substrate so as to provide an anti-abrasion sheet at the outboard and inboard surfaces of the exterior surface of the polymeric mirror substrate.

The Office Action states that the claimed partially flexible glass sheet is seen to be an inherent teaching of the Gillich et al. device since glass sheets thinner than 100 μm show bending properties and are therefore flexible. Applicant respectfully traverses. Such vacuum deposited (or otherwise deposited or coated) coatings are not inherently flexible sheets, since they are deposited as particles or a coating onto a substrate surface. While such a deposited coating may flex with the underlying substrate that gives the coating its form if the coating is deposited on a flexible substrate, it is not inherent that such deposited coatings are flexible sheets.

The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (reversed rejection because inherency was based on what would result due to optimization of conditions, not what was necessarily present in the prior art); *In re Oelrich*, 666 F.2d 578, 581-82, 212 USPQ 323, 326 (CCPA 1981). "To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.' " *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999) (citations omitted). "In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art." *Ex*

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parte Levy, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original). See MPEP 2112.

Moreover, and as noted above, the deposited coatings described in Gillich et al. do not exist as pre-formed glass sheets that are separate from the targeted substrates and are not pre-formed flexible sheets with attaching surfaces for adhering to a surface of the targeted substrates. To establish a prima facie case of obviousness, the prior art reference or references when combined must teach or suggest or render obvious all the claimed limitations. The teaching or suggestion to make the claim combination and reasonable expectation of success must both be found in the prior art and not based on Applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP § 2143.

The Office Action states that the Gillich et al. coating "must have some surface, which is attached or joined to some other surface". Applicant respectfully traverses. The coating of Gillich et al. is deposited onto a substrate, such as via immersion, spraying, vaporization or sputtering, and is thus deposited or coated as particles or a liquid and not a pre-formed, pre-existing thin flexible glass sheet having an attachment surface for adhering to a substrate surface.

Applicant submits that there is no disclosure or suggestion in Gillich et al. of a pre-formed, pre-existing thin flexible glass sheet, and there is no disclosure or suggestion in Gillich et al. of providing such a pre-formed, pre-existing thin flexible glass sheet that has an attaching surface that is opposed to and adhered to a polymeric substrate surface, such as is claimed in independent claim 1 of the present application. Therefore, the combination of Schmidt and Gillich et al. does not disclose, suggest or render obvious the invention claimed herein.

With respect to the rejection of dependent claims 2-11, Applicant submits that the combination of Schmidt and Gillich et al., either alone or in further combination with Wheatley

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et al., does not disclose, teach or suggest or render obvious the claimed invention for at least all of the reasons set forth above.

Accordingly, Applicant respectfully submits that neither Schmidt nor Gillich et al., either alone or in combination with one another or with any other prior art of record, disclose, teach, suggest or render obvious the wide angle reflective element of the present invention, particularly as set forth in independent claim 1 and in the claims depending therefrom. Reconsideration and withdrawal of the rejections of claims 1-11 is respectfully requested.

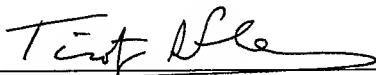
Claims 1-11 remain pending in the application. Applicant respectfully submits that claims 1-11 are in condition for allowance and a notice to that effect is earnestly and respectfully requested. Should the Examiner have any questions regarding the above discussion, the Examiner is invited to contact the undersigned attorney to discuss this further.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhart, LLP

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